

AMENDMENTS TO THE DRAWINGS

The attached "Replacement Sheet" of drawings includes changes to Figure 3F. The attached "Replacement Sheet," which includes Figures 3A-3G, replaces the original sheet including Figures 3A-3G.

In Figure 3F reference numeral 42a has been changed to 42b and 42b has been changed to 42a.

Attachment: Replacement Sheet

REMARKS

Claims 1-18 remain pending in the present application. Claims 1-5, 7, 8 and 13 have been amended. Claims 14-18 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

PRIOR ART

Applicants are not aware of any DENSO assigned prior art which relates to amended Claim 1 of the present application.

DRAWING AMENDMENT

While preparing this amendment, Applicants noticed that two reference numerals in Figure 3F were inadvertently reversed.

REJECTION UNDER 35 U.S.C. § 102 / 35 U.S.C. § 103

Claims 1, 4-7 and 13 are rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over JP 5-69731. Claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the prior as applied to claim 1 above, and further in view of Sumiya et al. (U.S. Pat. No. 5,676,595) or Kamiya et al. (U.S. Pat. No. 5,720,657). Claim 1 has been amended to define the cylindrical door as having a periphery that defines only an inlet-side opening, an outlet-side opening and two partition walls. With this structure as illustrated in Figure 3G it is possible to gradually increase the temperature when moving from the FACE mode to the FOOT mode via the BI-LEVEL mode. Thus, (1) the temperature is increased from

the maximum cool in the FACE mode, (2) the temperature increases a small amount when the mode switches from the FACE mode to the BI-LEVEL mode and (3) the temperature increases a small amount when the mode changes from the BI-LEVEL mode to the FOOT mode. Accordingly, the temperature feeling given to a passenger can be improved during the mode switching.

JP 5-69731 discloses a rotary door that has a periphery that defines three openings and three partitions. With this structure, as shown in Figures 6(a)-(d) and 7(e)-(g) and in the attached reference figure, the temperature is not gradually increased when moving from the FACE mode to the FOOT mode. Thus, (1) the temperature is decreased toward the maximum cool in the FACE mode, (2) the temperature is switched to be increased moving from the FACE mode to the BI-LEVEL mode and (3) the temperature is switched to be decreased moving from the BI-LEVEL mode to the FOOT mode. This provides an undesirable temperature feel for the passenger.

Sumiya, et al. ('595) or Kamiya, et al. ('657) fail to teach the above described features of the present application as defined by amended Claim 1.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 2-7 and 13, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

REJOINDER

Applicants respectfully request the rejoinder of withdrawn Claims 8-12.

NEW CLAIMS

New Claims 14-18 are believed to read on the elected species. Claim 14 is a new independent claim which defines the rotary door as having a first position where two of the plurality of blow out openings are simultaneously closed by one of the plurality of partition walls of the rotary door. JP 5-69731 does not have a single wall that can close two blow-out openings. Claims 15-18 are dependent claims that ultimately depend from new Claim 14.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: June 8, 2006

By: 

Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MJS/pmg